PANAMA TREATY RATIFIED.

THE VOTE IN THE SENATE WAS 66 TO 14 IN ITS FAVOR.

All the Opposition Was by Democrats-Formal Exchange May Be Made To-day Bunau-Varilla to Give His Salary as Minister for a Statue to De Lesseps.

WASHINGTON, Feb. 23.-The Panama Treaty was ratified to-day by the Senate by a vote of 66 to 14. The fourteen votes were all cast by Democrats. Three other Democrats were paired against the measure, with six Republicans for it, making the total Democratic opposition to the treaty seventeen votes.

Both the Democratic Senators from Texas, Tennessee and South Carolina voted against the treaty, and of the Virginia Senators one, Mr. Daniel, voted against it and the other, Mr. Martin, was paired against it.

This was the vote which was taken in secret session at 3 o'clock this afternoon. Yeas-Republicans-Aldrich, Alger, Allee, Allison, Ankeny, Ball, Bard, Beveridge, Burnham, Burrows, Clapp, Clark (Wyo.), Cullom, Depew, Dietrich, Dillingham, Dolliver, Dryden, Elkins, Fairbanks, Foraker, Frye, Fulton, Gallinger, Gamble, Hale, Hans brough, Heyburn, Hoar, Hopkins, Kean, Kearns, Kittridge, Lodge, Long, McComas, McCumber, Millard, Mitchell, Nelson, Penrose, Perkins, Platt (Conn.), Platt (N. Y.), Proctor, Quarles, Scott, Smoot, Spooner, Stewart, Warren, Wetmore—52. Demo-Stewart. crats-Bacon, Barry, Clark (Ark.), Clay, Cockrell, Foster (Ia.), Gibson, Latimer, McCreary, McEnery, Mallory, Money, Simmons, Taliaferro-14. Total, 66.

Nays—Democrats—Bailey, Bate, Blackburn, Carmack, Culberson, Daniel, Dubois, Gorman, Morgan, Newlands, Patterson, Pettus, Teller and Tillman-14. Paired in favor of the treaty-Republi-

cans-Foster, (Wash.) Hawley, Burton and Quay, 4; Democrats-Clark, (Mon.) and Total, 6. Paired against the treaty-Democrats-Overman, McLaurin and Martin-3.

The final proceedings in the approval of the treaty took place both in open and secret session. In the open session Mr. Bacon (Dem., Ga.) spoke in favor of his amendment providing for the payment by the United States and Panama to Colombia of a sum sufficient to reimburse that republic for the loss of the Panama territory. Mr. Berry (Dem., Ark.) said he would vote for the treaty and Mr. Teller (Dem., Col.) said he would oppose it because no one could tell what it would cost.

Mr. Simmons (Dem., N. C.) said he did not believe that the President or his Secretaries of State or the Navy encouraged, incited, or participated in any way in the Panama revolution. Nevertheless, he did not approve of many acts of the Administration and in voting for the treaty did not wish to be understood as indorsing these

The Senate at 12:30 o'clock went into secret session to dispose of the treaty. Mr. Bacon made a speech in support of his amendment, which was voted upon by roll call, and defeated, 24 to 49, a party

Mr. Morgan (Dem., Ala.) offered four amendments, upon which he did not demand a yea and nay vote, saying he knew very well that they would be defeated. They were all of minor importance and were rejected by a viva voce vote.

Mr. Culberson (Dem., Tex.), made a speech declaring that the President had not acted within a reasonable time in obtaining the rights from Colombia for the Panama Canal, and argued therefore that the Nicaragua route should have been taken up

After disposing of the amendments the Senate ratified the treaty by the vote of 86 to 14. The death of Mr. Hanna leaves the membership of the Senate at 89. Nine being required to offset one on the negative. If every Senator had been present the vote would have stood: Ayes, 72; noes, 17.

At 3:15 o'clock the Senate doors were reopened. Mr. Morgan asked if any response had been made by the President to the resolution of inquiry whether the people of Panama had adopted a consti-

"The Chair is not informed that any response has been made," replied Mr. Frye. Mr. Bunau-Varilla, the Minister of Panama, telegraphed President Amedor this evening that the canal treaty had been ratified and that he donated his salary as Minister to start a fund for the erection of a monument to Ferdinand de Lesseps, the father of the canal project. This is

Mr. Bunau-Varilla's telegram: The Senate has ratified the Hay-Bunau-Varilla treaty. This great historical fact nsures the completion of the Panama Canal and the protection of the Panama Republic. It crowns my laborious campaign of fifteen years on the political and diplomatic fields to save the honor of the great French conception, as I had previously saved its life on the technical field after four years of warfare in the Isthmus against almost insuperable obstacles.

While defending the great French enterprise, almost killed by falsehood and calumny, I acted in the capacity of a French citizen defending a great moral interest of France. This excludes all idea of material remuneration. Therefore, I request the Government of the Republic of Panama to withhold the salary of my office. It should form the nucleus of a fund for the erection of a monument, by the grateful Republic of Panama, to Ferdinand de Lesseps, the great Frenchman, whose genius has consecrated its territory to the progress of the world, for the honor of Panama, the glory of France and of the United States."

At the earnest solicitation of President Roosevelt the canal treaty was sent to the State Department as soon as its ratification had been attested. Before the Senate acted. Secretary Hay and Mr. Bunau-Varilla had arranged for the engrossing of the exchange copies and the work was tarted. The exchange copies will probably be ready in time to assure the ceremony of exchange to-morrow. President Rooseveit will then issue a proclamation declaring the treaty to be in full force and effect.

OUR GOVERNMENT IN PANAMA. Bill to Provide for a Board to Rule in the Canal Zone.

Washington, Feb. 23.-Mr. Kittredge of South Dakota, of the Committee on Interoceanic Canals, introduced a bill in the Senate to-day "to provide for the temporary government of the Panama Canal erritory, the protection of the canal works, &c." It authorizes the President to appoint three citizens of the United States to constitute "the Panama Board of Governors," the salary to be fixed later by Congress. The legislative, administrative and executive powers possessed by Congress under the treaty between the United states and the Republic of Panama are vested in this board.

The bill grants a bill of rights to the people of the canal territory, which is simi-lar to the bill of rights extended to the Philippine Islands, granting all rights in except the right of trial by jury. The laws of the United States, except as expressly made applicable to the canal territory, are not extended to the territory, and e protection of life, liberty and property

goods not being of the produce or manufacture of the territory coming from the same to the ports of the United States and of its possessions are to be subject to duty

as in the case of goods from foreign ports. The board is empowered to appoint neces sary subordinate officers of the local Government and to fix their compensation. The board is required to appoint a chief of police, who shall act as executive during the absence or disability of all the members of the board. The President is authorized to appoint three Judges at a salary to be fixed later, to constitute the United States Court for Panama, and the board of governors is to define their jurisdiction.

The board is authorized to provide for the extradition of fugitives from justice from the canal territory to foreign countries, in conformity with United States extradition treaties The expenses of the canal territory are

required to be paid out of revenues from the territorial government, and any deficit is to be met by appropriations from the United States Treasury:

TROOPS TO GO TO PANAMA. Will Do Police Work Along the Canal-The

Marines to Come Home. WASHINGTON, Feb. 23.—Official announce ment that the Third Infantry will go to Panama very soon to relieve the marines there was made at the War Department to-day. The Third Infantry is now stationed at Fort Thomas, Ky., Fort Sheridan, Ill., and Columbus Barracks, Ohio. The regiment will assemble in New York within a few days and take passage for Colon on the army transport Sumner.

The change from a marine force to troops of the Regular army will not take place until after the exchange of ratifications of the Panama Canal treaty by the United States and the Republic of Panama. The permanency of the situation on the Isthmus arising from a conclusion of the Canal treaty is such that soldiers should do the work of the marines, who are largely regarded as an emergency and temporary force. It is thought by Gen. Chaffee that the policing of the canal zone can be accomplished by two regiments, or a total of about 2,000 men. It is, of course, expected that the Canal Commission will not rely entirely upon the army, but will have an efficient civil police system of constabulary to main-

One of the most difficult undertakings. One of the most difficult undertakings, in the opinion of the officers, will be the enforcement of all sanitary laws upon the 50,000 or more persons who will be brought upon the Isthmus in connection with the canal work. The present plans of the General Staff contemplate the construction of barracks and quarters for the troops at different points along the Panama Railway, as it is thought that the troops will remain there for a year or more before they are relieved.

relieved.

The War Department has decided that officers of the regiment going to the Isth-mus cannot have their wives and families accompany them.

THE CANAL COMMISSIONERS. President Roosevelt Will Probably Have to Select Two More Men.

WASHINGTON, D. C., Feb. 23.-Two, and possibly three names are lacking to make the Panama Canal Commission complete. The declination of John Garber of San Francisco, to whom the President offered a place on the commission last Saturday. makes it necessary to find some other suitable man to represent the Pacific Coast. The President is unwilling to appoint Dr. Chester Rowell of Fresno, Cal., who was recommended by the California delegation in Congress and by the State Legislature. The only other California name suggested is that of M. H. De Young, proprietor of the San Francisco Chronicle.

It is expected that an arrangement will be made by which Alfred Noble, the engineer of the Pennsylvania Railroad Company, the membership of the Senate at 89. Nine will be enabled to accept a place on the Senators were paired, two on the affirmative | Canal commission and still continue his duties with the railroad company.

BUNAU-VARILLA TO GO.

Will Return to Paris and Private Life When the Treaty Becomes Effective. WASHINGTON, Feb. 23.-Mr. Bunau-Varilla, Minister of Panama, said to-day that within a fortnight after the Canal treaty has become operative he will resign his office as Minister of Panama and will return to Paris, his ome. He also said that he had engaged in the service of the Panama Government

from purely patriotic motives, having had no pecuniary or other material interest, nor would he have any, in the canal project.

Mr. Bun au-Varilla declared that he expected no reward for his efforts in behalf of the Panama Republic and the canal other than the satisfact ion of knowing that he had performed a patriotic duty. Pablo Arosemena, who was president of the re-cent constitutional convention of the Pan-Republic, will succeed Mr. Bunau-Varilla as the republic's Minister here.

GRAND JURY'S FIRE REPORT. Iroquois Theatre Men and Building Commissioner Are Severely Censured.

CHICAGO, Feb. 23 .- Censuring in severe terms official negligence which led to the Iroquois fire disaster, the special Grand Jury reported to Judge Chytraus this afternoon and was discharged. Criticism is heaped upon Building Commissioner Williams and his subordinates. The report is the longest submitted in years, and is also one of the most outspoken in language. It constitutes even a more sweeping reriew of the causes and results of the fire than did the verdict of the Coroner's jury. Indictments against W. J. Davis, Thomas Noonan, James Cummings, Building ommissioner Williams and Inspector Ed-

ward Loughlin were returned in court.

In brief the report says that the fire ren fried the report says that the her re-sulted from the too close proximity of a piece of drapery to an arc lamp; that in their incipiency the flames could easily have been extinguished by the use of proper apparatus for so doing; that with hooks, as required by ordinance, the drapery might have been pulled to the stage to prevent the spread of the fire; that in spite of every other agency, accident or cause, if any, the con-tributing cause of the death of the 575 patrons of the theatre was the neglect to provide fire apparatus as required by law.

Will J. Davis is directly charged with such neglect, as are Thomas Noonan, business manager, and James stage carpenter, each of whom had actual knowledge of the conditions of the stage and of the absence of adequate fire pro-

WHISTLER EXHIBITION OPENS. Canfield's Portrait Not There-Mrs. Jack

Gardner's Collection Absent. BOSTON, Feb. 23.-The Whistler memorial exhibition opened this evening in Copley Hall with the customary private view and will continue for four weeks. In artistic circles here it is asserted that it is the exhibition of the year, containing as it does about one hundred and fifty oil paintings, water colors and pastels, about two hundred and twenty-five etchings and a large number of lithographs and drawings. Cards of admission for to-night were sent out by the Copley Society to a limited number of people, and few were not presented at the

door.
One of the noticeable incidents of the exhibition was the absence of Mrs. Jack Gardner's collection. The owner of the Venetian Palace made certain stipulation which the committee found that the committee forms of the committee forms. which the committee found itself unable to carry out, but the members of the body

NEW VERSION OF THE CONNECTI-CUT \$25,000 LOAN.

Bank's Counsel Says Nones and Broach Were Both on the Notes and That Broach Was to Have Had Bank Stock to Secure Them With, but Didn't Get It.

Charles F. Broach, the former cashier of the Equitable National Bank and a rather successful "raiser" of the stock certificates of that bank and other banks, has made what is regarded as a pretty full confession of his transactions to Assistant District Attorney Krotel, and the connection of another man with the bank is under investigation.

Theodore Hansen, attorney for the Equitable National Bank and for Carl R. Schultz, its last president, said yesterday that Alfred Lauterbach, counsel for Charles A. Noues, former president, had been misinformed about the transaction in which the \$25,000 which Broach contributed to the purchase of a controlling interest in the bank was borrowed.

Mr. Hansen told an altogether new story about that now notorious loan. He said: "Nones and Broach had been planning for some time before they got the Equitable to get control of a New York bank. They first Janned to buy the Guardian Thurst Company At length they sextled Trust Company. At length they settled on the Equitable, and Broach sounded President Jerome of the First National Bank of Norwich, Conn., on the possibility of getting from that bank a loan of \$25,000. Jerome finally consented to make the loan and did so, taking as security notes for \$15,000 and \$10,000, respectively, made by Nones and indorsed by Broach. It was stipulated by Jerome, however, that, as soon as Nones had got control of the bank, Broach was to turn over to the Norwich bank 250 shares of the Equitable stock as collateral for the loan. Nones had prom-ised to Broach that much Equitable stock

"Having obtained the \$25,000 through Broach, Nones bought from the other president of the Equitable, James M. Bell, and some of his associates in the directorate of the bank 1,025 shares of the stock at 107. A few shares were bought from John Carraway, president of the First National Bank of Selma, Ala., vice-president of a bank at Biloxi, Miss., and at one time vice-president of the Equitable. Nones bought no stock from Carl R. Schultz.

"Having arranged for the purchase of this stock he arranged I think with McIn.

this stock, he arranged, I think, with McIntyre & Marshall, and maybe a bank or two, to lend him \$107,000. He got the money, paid for his stock and immediately put it and Broach's \$25,000 up as collateral for the loan. To be absolutely accurate, he hypothecated 1,015 shares of the bank stock, giving ten shares to Broach. Broach's stock is in five one-share certificates and one five-share certificate. "When no Equitable Bank stock was

turned over to the Norwich bank, the presi-dent got after Broach. I imagine that if Broach gave a 'raised' Equitable certificate for ninety shares to the Norwich bank he did it when he found that he could get no stock from Nones to make good his agreement with the Norwich people. I see that Mr. Lauterbach says that as

soon as Nones found out that the \$25,000 did not really belong to Broach, Nones assumed the loan. As a matter of fact, Mr. Nones did not assume that loan until late last September, but I do not care to discuss

this detail of the business.

"Regarding the Schultz administration of the bank I want to say this: The institution could not have gone into voluntary liquidation under the law had it not been perfectly solvent as to depositors. A special examination of the bank was made to find out about this The examiner found out, among other things, that, after Nones got out and Schultz took hold, the deposits increased from \$100,000 to more than \$400,000 and that a lot of questionable paper which the Schultz administration found was charged off the books. All the depositors will be read in tull and the stockfound was charged on the books. All the depositors will be paid in full and the stockholders will realize somewhere between 70 and 90 per cent. on their holdings."

Receiver Ridgely said yesterday that the depositors would be paid in full, and

that he is ready now to receive proof of claims and pay them on negotiable re-ceiver's certificates, upon which dividends will be made as fast as the assets of the

bank can be realized on. Alfred Lauterbach, when informed of he substance of the statement made by Mr. Hansen, said that "in view of pending conditions Mr. Nones has no more state-ments to make by way of supplementing the very full and frank one he made on

Monday night."

Carl R. Schultz, who was considerably sitirred over parts of Mr. Lauterbach's interview of Monday night, gave out the following

Charles A. Nones purchased a controlling interest from the parties who were in control during the early part of last summer. He never bought a single share from me. I was informed that Mr. Nones and Mr. Broach were close personal friends, and as a matter of fact as soon as Mr. Nones was elected president he installed Mr. Broach as cashier.

Early in the fall of last year I, with two other directors, decided to withdraw from the Equitable National Bank if Mr. Nones continued as president. When informed of this fact, Mr. Nones declared his willingness to sell his holdings, which were thereupon bought by me and the said two directors.

As Mr. Broach was so closely identified with Mr. Nones, the management of the bank decided not to keep him in the bank's employ, and he thereupon left the Equitable National Bank. I have not seen Mr. Broach since that time. Charles A. Nones purchased a controlling

that time.

The Equitable National Bank has no paper signed or indorsed by Broach or Nones in its possession, and the bank did not lose one its possession, and the bank did not lose one dollar through the actions of Charles F_{ν} Broach as eashier.

The other two directors to whom Mr. Schultz refers are E. G. Gilmore, lessee o the Academy of Music, and John Carraway.

SUPT. SCHILLING DEAD. City Hospital's Head Fatally Stricken With Apoplexy.

Joseph A. Schilling, superintendent of the City Hospital on Blackwell's Island. dropped dead of apoplexy at Fifty-third street and First avenue last night while on his way to the Fifty-second street ferry with Joseph Lamb, a steward at the hospital. The two had been doing election work in behalf of Congressman-elect Bourk Cockran

Mr. Schilling was born in this city fifty. three years ago. He was a painter by trade. In the Strong administration he was elected an Alderman from the Thirtieth district. He was made superintendent of the City Hospital during the Van Wyck administration. He leaves a widow and eight children.

The promised cold wave falled to put in an apsearance. Instead, a warm wave came and sen the temperature up to 45 degrees yesterday afte on. It was warmer by from 16 to 36 degrees in all the country west of the Alleghany Mountains and was above the freezing point everywhere in the afternoon except in the upper Lake region There was an area of low pressure stretching across the country from the Rocky Mountain States ast over the Lake regions into the St. Lawrence Valley; snow was failing in Michigan and cloud; conditions, with scattered light rain, prevailed ove New York; elsewhere over the country the weather

In this city the day opened fair, but became cloudy with a sprinkling of rain in the afternoon; wind fresh southwest; average humidity, 76 per cent.; barometer, corrected to read to sea level, at A. M 10.03; 3 P. M., 29.73. The temperature yesterday, as recorded by th

official thermometer, is shown in the annexed tabl 9 A. M. ...33° 28° 6 P. M. ... 22 M. ...41° 33° 9 P. M. ... 3 P. M. ...47° 40° 12 Mid. ... 1904. 1903. 44° 37° 42° 37° .40° 35°

WASHINGTON FORECAST FOR TO-DAY AND TO-MORROW For eastern New York, fair to-day, colder in interior and at night on the coast: to-morrow, fair, freshwest winds, becoming variable. For western New York, snow and colder to-day:

to-morrow, snow, except fair in southeast part; fresh west winds, becoming variable. For District of Columbia, eastern Pennsylvania. Maryland, New Jersey, Virginia and Delaware, fair to-day, colder at night; to-morrow, fair, variable

For New England, fair in south, snow in north to-day, followed by clearing, colder; to-morrow fair, fresh to brisk west winds.

BOYER RESIGNS FROM CLUB As a Result of His Trouble With M. Pesoli

-Latter Is Satisfied PHILADELPHIA, Feb. 23.-Former United States Mint Superintendent Henry K Boyer has resigned from the Art Club. did so as a result of the altercation he had last week with M. Pesoli, the French Consul, whom he slapped in the face with his gleves, following a dispute over the Russo-

Japanese War. The board of governors of the club held meeting to-night to investigate the affair. Boyer could have retained his member ship by apologizing to Pesoli, but he refused to do so. Under the circumstances, Boyer decided to send in his resignation, and it was accepted. It is understood that Pesoli is satisfied with Bover's resignation and will not demand any reparation.

DECISIONS ON FOOD STUFFS. Filled Cheeses Must Pay Export Tax-Tea

Below Standard May Be Destroyed. WASHINGTON, Feb. 23.-The Supreme Court handed down to-day two important decisions regarding food stuffs. One related to the exportation of filled cheeses and the other to the inspection, and de-struction if necessary, of tea. The court held that even if filled cheese

exported immediately, it must still pay he internal revenue tax imposed upon that produce. The majority of the Court held that although the law permitted the exportation of tobacco and snuff without tax, and the filled cheese act made some of the provisions of the existing internal revenue laws apply to it, the export privi-lege was not included.

The Chief Justice and Justice Harlan

dissented, the latter vigorously. The finding of the court, he declared, was to completely nullify the express provision of the Constitution that there should be no tax on exports. The majority of the court, he said, evidently proceeded under the principle that tobacco and snuff could be exported without tax, because it do the foreigners good, while the filled cheese would do them harm. The constitutionality of the tea inspec-

tion act and the right to destroy tea which falls below the standard prescribed unless is exported within six months, were affirmed. The power of Congress over foreign commerce, the Court said, was paramount, whatever might be said of domes-tic commerce. The right of the tea com-mission to fix the standards of tea was an administrative function and not a delegation of legislative power.

ANTI-TRUST LAW DECISION. Penalty Clause of Sherman Act Upheld in an Interstate Commerce Case.

WASHINGTON, Feb. 23.-The Supreme Court met to-day after a recess of three weeks and handed down decisions in forty cases. Justice Brown, who has been af-flicted with impairment of eyesight, which blindness, resumed his seat on the bench to-day.

to-day.

One of the most important decisions related to the penalty clause of the Sherman Anti-Trust law. The court affirmed the decision of the Federal court in California in favor of Edward S. Lowery and against W. W. Montague & Co.

The firm of Montague & Co. was a member of the Tile Grate and Mantel Trust of San Expresses, which sold articles to its

san Francisco, which sold articles to its members at a price below those of non-members, and Lowery, one of the latter, brought suit for triple the damages he had sustained. The association said that it did only a local and not an interstate busi-ness, although it was the agent of Eastern manufacturers who had a monopoly in the

sale of tiles.
"The purchase and sale of tiles between the manufacturers in one State and dealers in California," said Justice Peckham, "was interstate commerce as laid down in the Addystone pipe case. It was not a combination or monopoly among manufactur-ers simply, but one between them and dealers in the manufactured article, which was an article of commerce between the States. Citing, then, the court's decisions in the

Knight, the Hopkins and the Anderson cases, the opinion says that the agreement of the San Francisco association directly affected and restrained interstate commerce

FORBES MAY DECLINE.

Business Interests Will Probably Keep Him From Going to the Philippines. WASHINGTON, Feb. 23.—The death in Boston of J. Malcolm Forbes may cause his plans for becoming a member of the Philippine Commission. The business relations between them were very close The busines and when the appointment was offered to Mr. Forbes he explained that in the even of his uncle's death his services would be required in this country. There was a de-cided improvement in the condition of J. Malcolm Forbes and his recovery was looked for, It was then that W. Cameron

Forbes accepted the appointment. Mr. Forbes has now written Secretary row to discuss the situation arising from he death of the elder Forbes and it may be that he will have to decline the appointment.

Movements of Naval Vessels WASHINGTON, Feb. 23 .- The yacht Maylower has arrived at Charleston, whence istant Secretary of State Loomis, Admiral Dewey and the members of the Naval General Board; the cruisers New Orleans, Raleigh and Albany, the gunboat Wilming-Raleigh and Albany, the gunboat Wilmington and the collier Ajax, at Shanghai; the gunboat Don Juan de Austria at Gibraltar; the battleship Texas (flagship of Rear Admiral Sands), at Key West; the training cruiser Columbia, at St. Thomas; the training ship Adams, at San Diego, and the cruiser Montgomery, the supply ship Glacier and the tug Potomac, at Guantanamo.

namo.

The supply ship Supply has sailed from Honolulu for San Francisco, the gunboat El cano, from Shaikwan for Kiukiang; the destroyers Whipple and Worden, from Pensacola for Bahia Honda, Cuba; the gunboat Peoria, from Norfolk for Newport and the collier Sterling, from Norfolk for harleston and Guantanamo.

House Debates the Naval Bill.

WASHINGTON, Feb. 23.—The House de voted its entire session to-day to further consideration of the naval appropriation bill. The Democrats sought to strike from the bill the provisions for beginning work upon the proposed naval stations at Guan-tanamo, Cuba, and Olongapo, P. I., but were unsuccessful. Mr. Fitzgerald (Dem., N. Y.), also made an unsuccessful effort to get an increase for the New York Navy Yard. A point of order against the item to provide for the establishment of a naval training station on the Great Lakes was pending when the House adjourned.

Rear Admiral O'Nell Soon to Retire. WASHINGTON, Feb. 23.-Rear Admiral Charles O'Neil, Chief of the Naval Bureau of Ordnance, will be retired for age on March 15. The President and the Secretary of the Navy have selected his successor, out announcement of his name is withheld. It is reported in naval circles that it is Rear Admiral Converse, the present Chief of the Bureau of Equipment.

WHITE HOUSE CRANK KNOWN. Man Lately Arrested in Washington Murdered His Young Wife in Springfield, O. SPRINGFIELD, Ohio, Feb. 23 .- Edward B.

Relgar, the crank arrested a few days ago at the White House on suspicion of being there for the purpose of assassinating President Roosevelt, has been identified as Frank Coe, formerly of this city. Coe murdered his young wife in December, 1899, at their home in East street. He tried to kill himself but failed, and was convicted and sent to the penitentiary for one year. An effort was made at that time to prove that he was insane. After being in the penitentiary he went to Lima, where his relatives live. Coe killed his wife in the presence of their five-year-old daughter because he was jealous of her.

COAL DEALER'S MERRY HOME.

MRS. GUEST SWEARS TO BACCHA-NALIAN DOINGS THERE.

Used to Get Drunk Herself at Times Along With the Rest-Souvenir Collecting at Hotels—Husband Used to Photograph Her Sometimes in the Altogether

Bacchanalian jollifications alleged to have been indulged in by A. Royal Guest, the coal dealer, and his friends, were described yesterday with graphic emphasis by his wife, Mrs. Helen Guest, when she took the witness stand for the defence at the trial, before Supreme Court Justice Forbes and a jury, of Guest's suit against Clarence L. Lowther, another coal merchant, to recover \$75,000 for alienation of Mrs. Guest's affection.

Mrs. Guest, who was Miss Helen Limbeck of Hoboken, told her story in a quiet, businesslike manner. She said that she left her husband on Jan. 10, 1903, because she could live with him no longer. She and Lowther went to Omaha, each seeking a divorce. Mrs. Guest returned unsuccessful. Lowther's wife got a separation from him last May. Mrs. Guest admitted that she and Lowther had adjoining rooms in Omaha, where they registered as "E. Lawrence" and "Miss Lawrence," brother and sister. To a question as to whether she had ever been guilty of adultery with Lowther Mrs. Guest refused to reply, and Justice Forbes upheld her in the refusal without requiring her to give a reason.

"Was your husband in the habit of getting drunk?" Mrs. Guest was asked by her coun sel. [Guest had sworn that he was never drunk.

"Frequently," she replied, "and he got worse as time went on. He and I and several others used to go out evenings and he would always get intoxicated. What did we drink? Everything-beer, highballs, cordials, wines-all sorts of stuff, and we cordials, whee all sorts of stuff, and we rarely got home till 2 or 3 in the morning. Often he has slept on the floor, for he couldn't get to bed. He made me drink, too. Told me that if I didn't he'd pour the liquor down my throat. So I used to get drunk myself at times. He brought mend weren friedly to the house and one and women friends to the house, and one night he took a flashlight of us when we

had our clothes up over our knees.

"I first met Mr. Lowther at the Criterion in April, 1902. We lunched and drank there, and when we were leaving I took a sugar bowl from the table as a souvenir and stuck it inside my waist. Then my husband gave me a knife and fork, Mr McEvoy gave me two small coffee spoons Mr. Lowther gave me two or three brandy glasses and I put them all inside my blouse hey told me I might as well take them all along, and I think they'd have given me the electrolier off the table, only it was fastened down. One of the men tried to loosen it, I think, but failed. I took the hings home and kept them on the sideboard You mean to say," interrupted Justice Forbes, "that you actually stole and kept those things?"

"Oh, we used to do it all the time, to have

ouvenirs of our parties," replied Mrs. "My! my!" said the startled Judge, who comes from up State, "why it must have been a sort of kleptomania." [Guest has

lenied that anything was taken restaurants.] "In June, 1901," proceeded Mrs. Guest in answer to her lawyer, "Mr. Guest com-pelled me to pose for a photograph in the pelled me to pose for a photograph in the bathroom, nude, just after I got out of the bath. He showd me the picture afterward. It was a pretty good likeness. I objected to posing, but he insisted and I had to. He made me pose nude more than once and used to carry the pictures around in his pocket. They were flashlights mostly. The defendant was in court yesterday for the first time. He seemed to take little or no interest in the proceedings.

THOMAS D. REILLY DEAD. President of the Queens County Jockey

Club and Owner of Aqueduct Track. Thomas D. Reilly, president of the Queens County Jockey Club, died at his home, 143 East Nineteenth street, yesterday afternoon of pneumonia, after a short illness.

Mr. Reilly was born 52 years ago in the house in which he died. He was the son of John Reilly, a horse dealer and Tammany politician in the old Eighteenth ward. He went into the horse business himself in his youth, and amassed a fortune. was a great patron of horse racing, and in 1894, with David Holland, an Atlantic City hotel man, he secured control of the Aque

duct racetrack.

Mr. Reilly had planned many improvements for the Aqueduct track this season which, with the racing programme, will be fully carried out by his associates. Mr. Reilly was never married. Three sisters, Katherine, Mary and Madeline, and one brother, Michael, a retired foreman in the Fire Department, survive him. Another brother, Deputy Chief Francis J. Reilly, died eight years ago.

The funeral will probably be held on Thursday.

Obituary Notes. Joseph Seyer, a well known silk dyer of Paterson, N. J., died in his home yesterday Mr. Sever was born in Paris, France, in 1859. there. He became known all through the silk trade of France for his originality in concocting color shades. During the Franco-Prussian War Mr. Seyer entered the French Army as a private. He showed ability as a soldier and was soon promoted to the rank of Major. Under Gen. Chanzy he served with distinction in the battle of Orleans and with distinction in the battle of Orleans and also distinguished himself in the campaign of Le Mans. After the war he came to this country. He was always well versed in the affairs of France and his opinions on conditions there were often quoted. He could never be persuaded to take an active interest in political affairs of this country, although he was asked to run for office on several occasions. Mr. Seyer leaves a widow and three children.

Albert Delano died in Newark N. J. co.

several occasions. Mr. Seyer leaves a widow and three children.

Albert Delano died in Newark, N. J., on Monday night. He was born in this city in 1835, and his father was Dr. Jesse Delano, a lineal descendant of John and Priscilla Alden, the Mayflower Pilgrims of whom Longfellow wrote. Albert Delano went to Newark fifty years ago, and at the opening of the civil war enlisted in the Thirteenth New Jersey Volunteers, which went into action two weeks after being mustered in. He was appointed hospital steward just before the battle of Sharpsburg, and was in the same company with Franklin Murphy, now Governor of New Jersey. Mr. Delano is survived by his wife, one son and a daughter. For thirty-five years he was secretary of the Newark and Rosendale Cement Company and was at one time superintendent of the Adams Express Company in Newark.

Samuel S. Vansaun of Middletown, N. Y.

Company in Newark.

Samuel S. Vansaun of Middletown, N. Y. died in this city on Monday, aged 55 years, of heart disease. He was one of Orange county's oldest druggists, having been in business at Warwick since 1807. He had been chief of the Warwick fire department for ten years, had been treasurer of the Orange County Agricultural Society and clerk and treasurer of the board of education. He was a Democrat and served as clerk for seven years. He was born in New York city.

John Milton Reeve, who was horn in Spring. years. He was born in New York city.
John Milton Reeve, who was born in Springfield, N. J., in March, 1807, died on Monday
night at the home of his son-in-law, William
Johnson of 19 Orleans street, Newark. He
was well and sprightly until a fortnight before
his death. Mr. Reeve was one of fourteen
children. One of his sisters reached the age
of 89 years. He leaves two daughters, four
grandchildren and nine great-grandchildren.
Charles Fontelieu. United States Marshal Charles Fontelien, United States Marshal for the Southern District of Louisiana, died yesterday, in New Orleans. He was 41 years old and a native of New Iberia, La. He moved to New Orleans, in 1892, where he had charge of the sugar bureau under the McKinley sugar bounty law. He was appointed United States Marshal by President McKinley.

McKinley.

Henry S. Leavitt died at his home in Short Hills, N. J., on Monday. He was born in Brooklyn seventy-seven years ago and was the son of David Leavitt, the first president of the American Exchange National Bank in this city. He was in the stock brokerage business until 1885, when he retired. He leaves a widow and six children.

Daniel M. Champlin, aged 80, died on Monday night in Glens Falls, N. Y. He was the only Mexican War veteran in that region. He lost an arm in the service. For many years he was keeper of the tollgate between Glens Falls and Lake George.

PENNSYLVANIA RAILROAD POPULAR PERSONALLY-CONDUCTED

WINTER TOURS

Special Train. Independent travel in Florida. March 1. Tickets good to return on regular trains until May 31, 1904.
Rate, \$50 from New York. Proportionate rates from other points.

OLD POINT COMFORT, RICHMOND, WASHINGTON

Six-day Journeys through the Old Dominion.
March 12 and 26, April 23, and May 7, 1904.
Rate, \$36 from New York. All expenses. Corresponding rates from OLD POINT COMFORT only, \$17 from New York.

WASHINGTON

Chief points of interest at the National Capital. Three-day trips. February 25, March 10 and 28, April 14 and 28, May 12, 1904.
Rate from New York \$12.00 and \$14.50, according to hotel selected.
For detailed itineraries giving rates from other stations and full information, write or apply to Tourist Agent, 263 Fifth Avenue, New York; Penusylvania Railroad Ticket Agents, or

GEO. W. BOYD.
General Passenger Agent,
Broad Street Station, Philadelphia, Pa. W. W. ATTERBURY, General Manager. J. R. WOOD, Pass, Traffic Manager.

Pan-American Exposition



ing Ice Cream, Lowney's "Always R Sweet Chocolate Powder has no equal.

WATER CURTAIN AT THIS FIRE.

CHIEF CROKER'S SCHEME TO PRE-VENT GAS TANKS EXPLODING.

His Water Tower Threw a Fan of Spray Between Blazing Factory and Three Big Tanks-Very Nearly a Costly Argument for Salt Water Extra Supply. Fire Chief Croker introduced a new

wrinkle in fire fighting at a roaring five-

alarm blaze across from the Consolidated Gas Company works in West Fifty-ninth street early yesterday morning. But for his ingenuity in putting a curtain of water between the fire and the three big gas tanks across the way the result would probably have been a most costly argument in favor of a salt water auxiliary supply. The watchman of the big six story factory building at 525-535 West Fifty-ninth street discovered the fire in his place, which is occupied by the National Umbrella Frame Company shortly after 5 o'clock. It had evidently been burning for an hour or so, and he just managed to escape after sending in the alarm. Second and third alarms were sent in immediately after the arrival of the first batch of engines. Then Chief Croker came and, on account of the prox-imity of the three big tanks with their

1,500,000 cubic feet of gas, sent in the fourth and fifth alarms.

The Chief sent word to the engineer of the gas works to pump the gas out of the tanks, but was told that this was impossible. By this time the flames were shooting out from every floor, and, in spite of the deluge which six engines were pouring on the tanks, the paint on their sides blistered. Before long the roof of the factory fell in, and the heat became so intense that the woodwork on the water tower smoked. It was then that Chief Croker improvised his water curtain.

Stationing the water tower between the fire and the gas tanks, he turned the top nozzle skyward. With the two nozzles on the deck of the tower he threw cross streams into the perpendicular stream, forming a faultie wall of spray that effec-tually shut off the heat from the tanks. Chief Croker said afterward that if the formed from the water in the tank steam formed from the water in the tanks had blown up nothing for blocks would have been left intact. Soon after the factory roof fell the walls

collapsed without warning and the crews of six engines had to scamper for their lives. As it was several firemen were hurt by falling bricks, but none seriously The police reserves were kept busy empty-ing the neighboring tenements of their 300 or more tenants and helping the firemen and or more tenants and helping the firemen extinguish such small fires as were started by sparks driven to neighboring roofs by a brisk southwest wind.

During the early part of the fire considerable anxiety was felt by the authorities of Roosevelt and the Sloane Maternity hospitals, and guards were entitled to

pitals, and guards were stationed on roofs. The firemen, however, kept the fire roofs. The firemen, however, kept the fire confined to the building in which it started. The National Umbrella Frame Company, which occupied the greater part of the factory, estimates its loss at \$250,000. The 250 employees of the company will be sent to the company's Philadelphia plant until new current can be established. new quarters can be established Senate Discusses the Agricultural Bill. WASHINGTON, Feb. 23.-The Senate to-

day, aside from considering the Panama

Canal treaty, devoted its time to the routine

discussion of the Agricultural Appropria-tion bill. Army Orders.

WASHINGTON, Feb. 23.-These army orders were WARRINGTON, Feb. 23.—These army orders were issued to day:
Major William Birkhimer, General Staff, from this city to San Francisco, as assistant to the Chief of Staff, Pacific Dvision.
Col. Alfred C. Girard, Assistant Surgeon General, to San Francisco, as Chief Surgeon of the Department of California, relieving Lieut. Col. George H. Torney, Deputy Surgeon-General, assigned to command United States Army General Hospital. Presidio of San Francisco, relieving Major William P. Kendall, Surgeon, ordered to or innace by

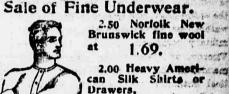
> The Miniature BOOK

"The Road to Wellville"

Most powerful energizing book of the century. Found free in every pkg. of

Lummunum

Grape-Nuts and Postum KENNEDYS STORE



can Silk Shirts or 1.50 Ribbed Week

Shirts or Drawers 98c. 1.50 Heavy Ribbed Balbriggan 980

6.00 Shoes (with trees), 3.49 New Flat Lasts. Dipped
Toes, Button and Lace. 8.00 Bench-Mede Shoes, and beneat 4.98 at # 10.00 Custom

4.00 Hats, 2.75,

Very Best Hat

Shoes at 5.98. Douglass 3.50 Shoes, 2.39. All Sizes. Shoe Trees FREE with all Shoes ever

3.49 per pair. Smart New Shapes. Direct from Factory. New Shades of Browns and Blacks. 3.00 Hats, 1.90. Flat and Rolled

8.00 Imported Opera Hats3.90

The Unusual Store.

New Oriental Things as others see it. (Extract from The N. Y. Times, Feb. 18.)

IN THE SHOPS. With the increasing demand for drawn work it has now been made up by the yard, and sells in different designs in twenty-seven inch widths. One of the most different designs in twenty-seven inch widths. One of the most beautiful patterns is in stripes and wheels, and costs \$3.50 a yard. A simpler design costs \$2.50. "But one only wishes a little piece," gasped a woman who heard the price. As much can be bought of this material by the yard as is desired. One length will make a dress front and plain linen can be bought to finish out the waist, and there is plenty of drawnwork in narrow strips of different widths, also to be bought by the yard, to make collars, cuffs, or inserts for other parts of the bodice.

A beautiful waist of deep olive green kinu silk is trimmed with a band of embroidery in greens set in down the front and a stock of the same fine hand work. This embroidery almost covers a dark background of silk, and is all in green shading up to light tones, which contrast prettily with the darker tint of the silk. There are embroidered buttons, slender and pointed, set on either side of the pointed, set on either side of the embroidered front.

Oriental silk belts are also embroidered. These are wide, with plain pieces of the silk at the immediate front, where the narrow oval buckle of metal is set on. The embroidery is done upon colors and upon gold, the latter with the front of gold leather. \$5.00 each.

\$45.00.

Exclusive Materials. Oriental Embroiders. Maltese Laces. SECOND FLOOR

A. A. Vantine Q. Co. Broadway, 18 & 19 Sts.

TEXAS SUES AN EXPRESS CO. Seeks to Recover \$6,000,000 for Violation

of the Anti-Trust Law. Austin, Tex., Feb. 23.- The American Express Company was to-day made the defendant in a suit brought against it by Attorney-General C. K. Bell, on behalf of the State of Texas, to recover more than \$6,000,000 as penalties for alleged violations of the anti-trust law. Similar suits will be filed against the United States Express Company, the Pacific Express Company and the Wells Fargo Company.

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It is quality that has made the name Lemaire famous. See that this name, spelled L-E-M-A-I-R-E (as above), is on the end and around the eye piece of every Opera and Field Glass you buy; otherwise you will buy worthless imitations. For sale by all responsible dealers